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UNITED NATIONS

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Economic and Social Council

Distr.
LIMITED

E/CN.4/Sub.2/1992/L.22
20 August 1992

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fourth session
Agenda item 8

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Draft resolution submitted by Mr. Al-Khasawneh, Ms. Attah, Mr. Boutkevitch, Mr. Chernichenko, Mr. Despouy, Mr. Eide, Ms. Forero Ucros, Mr. Guissé, Mr. Hakim, Mr. Hatano, Mr. Joinet, Mr. Khalil, Ms. Ksentini, Mr. Maxim, Mr. Merrills, Mr. Ramadhane, Mr. Saboia, Mr. Tian, Ms. Warzazi and Mr. Yimer

1992/... Promoting the realization of the right to adequate housing

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1991/26 of 29 August 1991 in which it entrusted Mr. Rajindar Sachar with the task of producing a working paper, for submission at its forty-fourth session, on the right to adequate housing with a view to determining how best to further both the recognition and the enforcement of this right,

Taking note of the preliminary conclusions contained in the working paper (E/CN.4/Sub.2/1992/15),

GE.92-13411/0448K (E)

Taking note also of the view expressed by the Special Rapporteur on the realization of economic, social and cultural rights in his first progress report (E/CN.4/Sub.2/1990/19) that virtually no analytical work had been carried out within the human rights organs of the United Nations directly concerning housing rights,

Encouraged by the adoption on 12 December 1991 of General Comment No. 4 (1991) on the right to adequate housing by the Committee on Economic, Social and Cultural Rights at its sixth session (E/1992/23, annex III),

Aware that General Comment No. 4 constitutes the first such comment adopted by the Committee on Economic, Social and Cultural Rights to examine a specific right contained in the International Covenant on Economic, Social and Cultural Rights,

Mindful of Commission on Human Rights resolution 1992/10 of 21 February 1992 in which the Commission, inter alia, took note with particular interest of General Comment No. 4 (1991) and Sub-Commission resolution 1991/26,

Welcoming the recommendation contained in the final report submitted by the Special Rapporteur on the realization of economic, social and cultural rights, Mr. Danilo Türk, encouraging the Sub-Commission to continue its practice of appointing special rapporteurs to study specific aspects of this category of rights (E/CN.4/Sub.2/1992/16, para. 206),

Deeply concerned that in excess of one billion persons do not enjoy the right to adequate housing and that in many States it is the already disadvantaged groups of society that are homeless or inadequately housed,

1. Expresses its appreciation to Mr. Rajindar Sachar for his working paper on the right to adequate housing, which outlines a range of issues requiring further analytical work by the United Nations human rights bodies;

2. Encourages all States to pursue effective policies and legislation aimed at creating conditions aimed at ensuring the full realization of the right to adequate housing of the entire population, concentrating on those vulnerable groups that are homeless or inadequately housed;

3. Decides to appoint Mr. Rajindar Sachar as Special Rapporteur on promoting the realization of the right to adequate housing, and to request the Special Rapporteur to carry out a two-year study on this issue;

4. Requests the Special Rapporteur to submit to the Sub-Commission, at its forty-fifth session, a progress report on the promotion of the realization of the right to adequate housing, taking into account the comments made in the discussion of his working paper at its forty-fourth session;

5. Encourages the Special Rapporteur to consult the widest possible variety of sources in the preparation of the progress report;

6. Requests the Secretary-General to invite Governments, United Nations bodies, the specialized agencies, intergovernmental and non-governmental organizations and community-based organizations to provide the Special Rapporteur with information relevant to the preparation of his report;

7. Also requests the Secretary-General to provide the Special Rapporteur with all the assistance that he may require to prepare his study and to compile and analyse the information and documents collected;

8. Decides to consider the first report at its forty-fifth session under the agenda item entitled, "The realization of economic, social and cultural rights".